

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

LARRY EVANS

VS.

CIVIL ACTION NO. 2:15cv11 KS-MTP

STATE OF MISSISSIPPI

ORDER

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on June 12, 2015, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation be, and the same hereby is, adopted as the finding of this Court, and the following is ordered:

1. That Respondent's Motion to Dismiss [8] is granted;
 2. That Petitioner's Motion to Stay and/or Motion to Prosecute Proceeding [9] is denied;
- and
3. Petitioner's Petition for Writ of Habeas Corpus is dismissed with prejudice.

SO ORDERED, this the 30th day of June, 2015.

s/ Keith Starrett
UNITED STATES DISTRICT JUDGE